App. F. IX-4

Previous References

1934. (Law)

File No. /23-34

Serial Nos. /— 2

Later References.

Law Dept/23-34

(12-8)

GENERAL AND REVENUE SECRETARIAT.

Three Two.

Part B for Jany 35

SUBJECT.

Re-prosecution of R. Ranjundaiya, Cycle Shop Keeper, Bhadravati, for an offence of having drawn an unauthorised lottery.

2) To

The D.M. Shimoga
D.S. of Police.

WD 01965—GPB—15,000—7-7-34

No. P 3680—1 dy 16.1.35.

Sanctions the prosecution under Sec 294A I.P.C.

KB. Alegal Asst
9.2.35

Serial No.

From,

The D. M.

Shimoga

No. J.C. 251/34-35 dt 5.1.35

Sanction of Govt in re Ceremony stated to prosecute one R. Ranjappa a Cycle Shop keeper, who is said have drawn an unauthorised Lottery Bhadravathi.

In a Statement given before the S.D. Police, One R. Ranjundaya of Bhadravathi, has admitted that a Lottery was drawn by him, and tickets were sold @ As 8 each and was to be distributed the prizes to the winners. ticket book seized in this Connection is Sanction may perhaps be accorded to prose the individual under sec 294 A I.P.C. as requested by the DC.

Submit with a draft G.O. for Orders.

ISD 8/1

Drawing an unauthorised lottery is no offence under sec 294, It is the keeping of an office or place for the purpose of such draw under the 2nd para of sec 294 A it is the publication of a proposa that is the offence - Please Repor if the necessary ingredients are present & draft the G.O sanc

Note–Contn. Sheet.

has to be carefully worded so as to
cover all the charges.

RNP
8/1/55

The ingredients of the offence under sec
34 A are

1) Keeping of any office or place
for the purpose of drawing any lottery
not authorised by Govt.

2) Publishing any proposal to pay any
sums or to deliver any goods or to
do or forbear doing anything for
the benefit of any person on any
event or Contingency relative or
applicable to the drawing of any
ticket, lot, number or figure in
any such lottery

present Case R. ranjendraiya is
to have run a lottery office in a room
belonging to one G. Sivalingappa of Bhadravati.
He has admitted that the lottery prizes were
drawn at the said Sivalingappa's house on 20.10.54

And again in the tickets sold by him
it is published that a private lottery would be
drawn on 1.9.54 at Sree Satyanarayana Gelewala
and that he magically noted two prizes given.
It is therefore clear that both the ingredients of
the offence are present in the acts committed by
the individual Dft G.O. is rightly closed and

3764

General and Revenue Secretariat | Law File No. 123 of 1934. | [App. F. III–2

Serial No.

put up
ISD
9/1

What is required under Sec 196 is sanction to prosecute, and authority to a person to make the complaint.

Draft G.O. may be approved

Gensey) BSP 9/1/35

may be approved.
send number.

Law 10/1/35
BSP 10/1

12/1.

Issue
BSP
12/1

To,

The D. M. Shimoga
" S. P.

G.O. no. P. 3480-81 Law 123-sec-2 dt 16.1.35 sanctioning the prosecution of R. ranjan of Bhadravati under sec 196 A I.P.C.

OFFICE OF THE SECOND MEMBER OF COUNCIL. 10 JAN. 1935 No. Lc 6 35

JG

REV. SEC

B
17/1/35

Note–Contn. Sheet.

OFFICE OF THE DISTRICT MAGISTRATE,
SHIMOGA DISTRICT.

No. ...J1..C....251/34-35.

Dated, Shimoga....January...5.....1935.

Time file

3764

P. Law 123 -34-1

FROM

CHIEF SECRETARY'S 1 JAN. 1935

T. V. A. ISVARAN, ESQ., B.A.,
District Magistrate,
Shimoga District.

To

RAJASEVASAKTHA R. RANGA RAO, ESQ., B.A., B.L.,
Chief Secretary to Government of Mysore,
Bangalore.

SIR,

I herewith correspondence ending with the Shimoga District Superintendent's of Police letter No. J.C. 193 of 34-35 dated 26-10-1934 regarding the Lottery unauthorisedly drawn by one R. Nanjundiah, a Cycle Shop-keeper of Bhadravati, I have the honour to state that the person is reported to have sold tickets and collected money for the purpose of drawing a lottery, run a lottery office in a room of G. Sivalingappa at Bhadravati and to have actually drawn the lottery thereat on 20-10-1934 in the presence of Panchayetdars, awarding the following prizes:--

1. First Prize: one Second-hand Old Model Stanley Cycle.
2. Second Prize: One Second-hand Alaram time-piece (both estimated to cost Rs 98/-).

Nanjundiah, in his statement recorded before the Police on 24-10-1934 has admitted having used the place referred to above for the purpose of drawing the lottery for which he had not obtained sanction of Government. He has rendered himself liable for prosecution for an offence under section 294 A Indian Penal Code.

But no court is competent to take cognizance of this offence unless upon complaint made by the order of Government (vide Section 196 Criminal Procedure Code). I therefore request you to be so good as to obtain the necessary sanction of Government to prosecute

the offender in question.

I have the honour to be,
Sir,
Your most obedient servant,

District Magistrate,
Shimoga District.

KB/2 (3-1)

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary. No of letter replied to .....

Section Law

File No. 123-34

Serial No. 2

General and Revenue Secretariat

( )

the *193* .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 16/1/ 1935.

Signed by Hon. S. A. Wajid

Read— Letter no. J.C. 251/34 d. 5.1.35 from the Dist. Magte Shimoga stating that one R. Ranjindraya, a cycle Shop keeper of Bhadravati is reported to have sold tickets and collected money for the purpose of drawing a lottery ~~Order thereon.—No.~~ and run a lottery office in a room of one S. Sivalingappa of Bhadravati and drawn the lottery there at on 20.10. by awarding the marginally noted prizes, and soliciting sanction in the circumstances pointed out of Govt. to prosecute him under sec 294 A I.P.C.

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

I Prize - one Second hand old model Stanley Cycle

II Prize - one Second hand alarm time piece

3488 -81

In the circumstances
quoted ~~sanction~~ sanction is accorded
for the prosecution of R. Manjundaiya
Cycle Shop keeper, Bhadravati, for
an offence under sec 29.4 A.P.E.
Under sec 196 Cr.P.C. the
Dy. Supt of Police Shimoga is authorised
to the Magistrate having jurisdiction in the matter
make the necessary ~~complaint~~ before ~~a Court~~ the proper court of law
against the said Manjundaiya and conduct the prosecution
~~and take necessary further action in the matter.~~

pm
Gen Sec
9/1
TSD
9/1

To,

The Dy Shimoga with enclosures
" D.S.P. ~~letter~~

Cop. to Police Sec^y

List of Enclosure

Copied by

Examined by

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read:-

Letter No.J.1.C.251/34-35 dated 5th January 1935 from the District Magistrate, Shimoga, stating that one R. Nanjundaiya, a cycle shop-keeper, Bhadravati is reported to have sold tickets and collected money for the purpose of drawing a lottery and run a lottery office in a room of one G. Sivalingappa of Bhadravati and drawn the lottery thereat on 20th October 1934 by awarding the marginally noted prizes and soliciting sanction of Government in the circumstances pointed out to prosecute him under Section 294 A Indian Penal Code.

I Prize -One second hand old model Stanley cycle.
II Prize - One second hand alaram time-piece.

Order No. P 3480-81/law 123-34-2

Dated, Bangalore the 15th January 1935.

In the circumstances pointed out sanction is accorded for the prosecution of R. Nanjundaiya, cycle shop-keeper, Bhadravati, for an offence under Section 294 A Indian Penal Code, under Section 196, Criminal Procedure Code, the District Superintendent of Police, Shimoga is authorised to make the necessary complaint against the said Nanjundaiya to the Magistrate having jurisdiction in the matter.

General Secretary to Govt.

To

The District Magistrate, Shimoga, with enclosures to his letter.

The Inspector General of Police in Mysore.

Aga/4